

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:05cv102

MOYA R. BEY,

Plaintiff,

vs.


STATE OF NORTH CAROLINA,
CITY OF CHARLOTTE, [and]
POLICE OFFICER KOBEE MOORE,
Defendants.

MEMORANDUM AND ORDER

On July 28, 2005, the magistrate judge issued a Memorandum and Recommendation in the present case recommending that Defendants' Motion to Dismiss be granted and the Complaint dismissed with prejudice. (Doc. No. 7) The parties were advised that objections were to be filed in writing within ten days after service of the magistrate judge's decision. The deadline for filing objections has since passed, and neither party has filed objections in this matter. After a careful review of the Memorandum and Recommendation, the Court finds that the magistrate judge's proposed findings of fact are supported by the record and that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the magistrate judge's recommendation that the Defendant's Motion to Dismiss be granted and the Complaint be dismissed with prejudice.

THEREFORE, IT IS HEREBY ORDERED that the Defendants' Motion to Dismiss **GRANTED**, and this matter is **DISMISSED** with prejudice.

Signed: February 28, 2006


Robert J. Conrad, Jr.
United States District Judge

